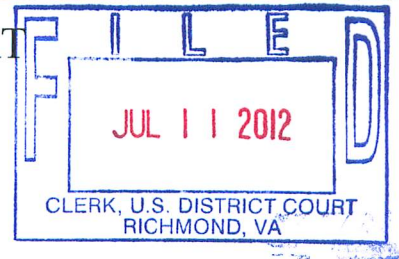


UNITED STATES DISTRICT COURT

for the
Eastern District of VirginiaUnited States of America
v.
JOSHUA J. MCGAHAN

Case No.

3:12MJ247

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of APRIL 19, 2012 in the county of CHESTERFIELD in the
EASTERN District of VIRGINIA, the defendant(s) violated:

Code Section

Offense Description

21 U.S.C. SECTION 841(a)(1) and (b)
(1)(A)(v)Possession with the Intent to Distribute Ten Grams or More of Lysergic Acid
Diethylamide (LSD)This criminal complaint is based on these facts:
SEE ATTACHED☒ Continued on the attached sheet.

Reviewed by AUSA/SAUSA:

ERIK S. SIEBERT

Shannon M. Pinto

Complainant's signature

SHANNON M. PINTO, TASK FORCE OFFICER

Printed name and title

Sworn to before me and signed in my presence.

Date:

July 11, 2012

City and state:

Richmond, Virginia

David J. Novak

United States Magistrate Judge

Judge's signature

David J. Novak U.S. Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Shannon M. Pinto, a Task Force Officer with the Drug Enforcement Administration (DEA), Richmond District Office, Department of Justice, Eastern District of Virginia, being duly sworn, state as follows:

Introduction

1. I am a law enforcement officer of the United States within the meaning of Title 18, United States Code, § 2510(7). I am therefore, an officer of the United States who is empowered to conduct investigations of, and to make arrests for, the offenses enumerated in Title 21. I am a Special Agent with the Virginia State Police, and have been employed there since October 1998. Prior to my employment with the Virginia State Police, I was employed as a Police Officer with the James City County Police Department from December 1994 through 1998. I am currently assigned to the Drug Enforcement Administration Richmond District Office as a Task Force Officer (TFO) and have been so employed since October 2010. I have conducted investigations into the unlawful possession, possession with the intent to distribute, distribution of controlled substances, and the associated conspiracies in violation of Title 21, United States Code, §§ 841 (a)(1) and 846.
2. I present this affidavit in support of the attached criminal complaint charging **Joshua John MCGAHAN, and Social Security Number ending in 8493**, with unlawfully, knowingly, and intentionally possessing with intent to distribute ten grams or more of lysergic acid diethylamide (LSD), in violation of Title 21, United States Code, § 841(a)(1) and (b)(1)(A)(v).
3. The facts set forth in this Affidavit are based on your affiant's participation in this investigation and/or information provided by sources of information, special agents, task

force officers, sheriff's deputies, and police officers from various federal, state, and local law enforcement agencies. This affidavit is prepared solely for establishing probable cause to support this criminal complaint. This affidavit is not intended to include every fact known to your affiant or the United States.

4. On April 19, 2012, at appropriately 1:15 a. m. Virginia State Police Trooper Zane Grey made a traffic stop on a vehicle being operated by Joshua John MCGAHAN for speeding. The stop was made on Interstate 95 southbound, in Chesterfield County, Virginia. Trooper Grey immediately noticed MCGAHAN making furtive movements in the area of the center console. When asked for his license, MCGAHAN would not make eye contact with Trooper Grey, and an odor of marijuana was detected inside the vehicle. MCGAHAN provided a New Hampshire ID card and stated that his license was suspended. Trooper Grey advised MCGAHAN that he could smell marijuana, and saw his movements around the console. MCGAHAN then produced a glass smoking device with plant substance packed in it, a plastic baggie of marijuana, and a plastic baggie of hashish. Subsequently, MCGAHAN was placed under arrest by Trooper Grey.
5. Upon his arrest, MCGAHAN was advised of his Miranda Rights by Trooper Grey, which he waived. Trooper Grey asked if there were any more drugs in the vehicle. MCGAHAN advised Trooper Grey that there were more drugs located in the trunk of his vehicle, in a backpack. Additional suspected illegal narcotics were located by Trooper Grey in a backpack found in the trunk. Inside the backpack, Trooper Grey discovered blotter paper, eleven bottles, green and brown plant material in containers, white powder in several baggies, and digital scales. MCGAHAN claimed ownership of all the suspected narcotics retrieved from the vehicle. At this time, Miranda Warnings were read again to

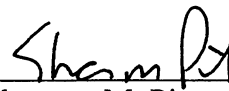
MCGAHAN by Trooper Grey, and after waiving his rights a second time, MCGAHAN was questioned about the suspected narcotics found in the backpack. MCGAHAN stated that the blotter paper found contained LSD and the eleven bottles also contained liquid LSD. MCGAHAN identified the powder seized by Trooper Grey as Ecstasy. MCGAHAN also identified the green and brown plant material seized as hashish, hashish oil, and marijuana. Digital scales were located next to the plastic baggie of suspected Ecstasy. Trooper Grey subsequently seized, packaged, and delivered the suspected illegal narcotics to the Commonwealth of Virginia Department of Forensic Science for analysis.

6. Additionally, MCGAHAN stated that he was headed from New Hampshire, through Virginia, to a rock concert in Florida. The purpose of his trip was to sell the illegal narcotics for profit. MCGAHAN stated that he had approximately \$20,000 in product.
7. On June 5, 2012, Commonwealth of Virginia Department of Forensic Science produced a certificate of analysis of the items seized from Joshua John MCGAHAN. Of the items listed on the certificate of analysis one was found to contain 23.780 grams of liquid Lysergic acid diethylamide (LSD). Also listed on the certificate of analysis were items found to contain an analog identified as 25I-NBOMe, methylone, and multiple items containing marijuana.

Conclusion

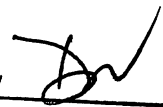
8. Based on the aforementioned facts, this affiant submits that there is probable cause to believe that Joshua John MCGAHAN did unlawfully, knowingly, and intentionally possess with intent to distribute ten grams or more of lysergic acid diethylamide (LSD), in violation of Title 21, United States Code, § 841(a)(1) and (b)(1)(A)(v).

I declare under penalty of perjury that the statements above are true and correct to the best of my knowledge and belief.



Shannon M. Pinto, Task Force Office
Drug Enforcement Administration

Sworn and subscribed to before me
June 20, 2012, in the City of Richmond, Virginia.



/s/
David J. Novak
United States Magistrate Judge

Reviewed + approved by Erik D. Siebert, AUS A